

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

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GUSTAVIA HOME, LLC,

Plaintiff,

Civil Action No.:
16-4029(SJ)(MRL)

-against-

JEAN MARC BIJOUX; JUNE FREEMAN BIJOUX a/k/a
JUNE FREEMAN a/k/a JUNE BIJOUX FREEMAN;
MORTGAGE ELECTRONIC REGISTRATION SYSTEMS, INC.,
AS NOMINEE FOR CAPITAL ONE HOME LOANS, LLC; CITY
OF NEW YORK ENVIRONMENTAL CONTROL BOARD; CITY
OF NEW YORK DEPARTMENT OF TRANSPORTATION
PARKING VIOLATIONS BUREAU and JOHN DOE "1" through
"12", said persons or parties having or claimed to have a right, title
or interest in the Mortgaged premises herein, their respective names
are presently unknown to the Plaintiff,

Defendant(s).

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**DECLARATION IN OPPOSITION TO DEFENDANT'S MOTION TO VACATE THE
DEFAULT JUDGMENT**

I, Alan Smikun, declare as follows:

1. I am a member of the Bar of this Court and associated with The Margolin & Weinreb Law Group, LLP, counsel for Plaintiff Gustavia Home, LLC (hereinafter "Plaintiff") in the above-captioned action. I am fully familiar with the facts set forth herein. I am not a party to this action.
2. I submit this Declaration in Opposition to the Defendant's Motion to Vacate under Federal Rules of Civil Procedure 60(b).
3. Attached at Exhibit "1" is an Affidavit from Joseph Leggio, the Process Server in the instant action with accompanying Exhibits.
4. Attached at Exhibit "2" is a United States Postal Service Inquiry for Money Order Status with Frequently Asked Questions.

Pursuant to 28 U.S.C. 1746(2), I declare under penalty of perjury under the laws of the United States of America and the State of New York that the foregoing is true and correct.

Executed in Syosset, New York on the 15th day of August, 2019.

/s/ Alan Smikun
Alan Smikun, Esq.